



Event	Date/Time	Location	Scanner ID
DELIVERED	07/26/2010 10:01	SALINAS, CA 93901	030SHJA357
	Input Method: Scanned Finance Number: 056702 Request Delivery Record View Delivery Signature and Address		
ARRIVAL AT UNIT	07/24/2010 07:37	SALINAS, CA 93901	030SHJA353
	Input Method: Scanned		
ACCEPT OR PICKUP	07/23/2010 09:06	SALINAS, CA 93907	
	Input Method: Scanned		
	Finance Number: 056702		

Version 1.0

Inquire on multiple items.

Go to the Product Tracking System Home Page.



Track/Confirm - Intranet Item Inquiry
Item Number: 7009 2250 0003 0147 7638

This item was delivered on 07/26/2010 at 10:01

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Enter Request Type and Item Number:

Quick Search ☒

Extensive Search ☐

Explanation of Quick and Extensive Searches

Submit

Version 1.0

Inquire on [multiple items](#).

Go to the Product Tracking System [Home Page](#).

Jeffrey-Merritt Wilson
Pb Box 10414
Salinas, Ca 93912

CERTIFIED MAIL



7009 2250 0003 0147 7645



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91301

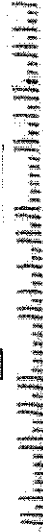
U.S. POSTAGE
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93907
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COMMITMENT LENDING
30101 Agoura Court, Suite 102
Agoura Hills, CA 91301

Agoura Hills 91301
7-31-10
Mail Room
Agoura Hills, CA 91301

91301+4301



CIVIL CASE INFORMATION STATEMENT		Court of Appeal Case Number (if known) H139985
COURT OF APPEAL, <u>SIXTH</u> APPELLATE DISTRICT, DIVISION _____		FOR COURT USE ONLY Electronically filed by Court of Appeal Sixth Appellate District Aug 16, 2013 Michael J. Yerly, Clerk By: AMussman
ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Jeffrey Merritt Wilson & Teresa J. Moore Post Office Box 10414 Salinas 93912, CALIFORNIA TELEPHONE NO.: (831) 424-1732 FAX NO. (Optional): (831) 417-2867 E-MAIL ADDRESS (Optional): teresa_j_moore@yahoo.com ATTORNEY FOR (Name): Propria Persona		
APPELLANT: Jeffrey Merritt Wilson & Teresa J. Moore RESPONDENT: Thomas C. Irwin and Mary W. Irwin; et alia		
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN BENITO STREET ADDRESS: 440 Fifth Street MAILING ADDRESS: 440 Fifth Street CITY AND ZIP CODE: Hollister 93912 BRANCH NAME: San Benito County		
JUDGES (all who participated in case): Harry J. Tobias		Superior Court Case Number: CU-11-00119
NOTE TO APPELLANT: You must file this form with the clerk of the Court of Appeal within 10 days after the clerk mails you a notice that this form must be filed. You must attach to this form (1) a copy of the judgment or order being appealed that shows the date it was entered (see Cal. Rules of Court, rule 8.104 for definition of "entered"); and (2) proof of service of this form on all parties to the appeal. (CAUTION: An appeal in a limited civil case (Code Civ. Proc., § 85) may be taken ONLY to the appellate division of the superior court (Code Civ. Proc., § 904.2) or to the superior court (Code Civ. Proc., § 116.710 [small claims cases]).		

PART I – APPEAL INFORMATION**A. APPEALABILITY**

1. Appeal is from:

- ☐ Judgment after jury trial
☐ Judgment after court trial
☐ Default judgment
☐ Judgment after an order granting a summary judgment motion
☐ Judgment of dismissal under Code Civ. Proc., § 581d, 583.250, 583.360, or 583.430
☒ Judgment of dismissal after an order sustaining a demurrer **See the attached EXHIBIT-1**
☐ An order after judgment under Code Civ. Proc., § 904.1(a)(2)
☐ An order or judgment under Code Civ. Proc., § 904.1(a)(3)–(13)
☐ Other (describe and specify code section that authorizes this appeal):

2. Does the judgment appealed from dispose of all causes of action, including all cross-actions between the parties?

☒ Yes ☐ No (If no, please explain why the judgment is appealable):

B. TIMELINESS OF APPEAL (Provide all applicable dates.)

1. Date of entry of judgment or order appealed from: 05 / 28 / 13
2. Date that notice of entry of judgment or a copy of the judgment was served by the clerk or by a party under California Rules of Court, rule 8.104: 06 / 06 / 13
3. Was a motion for new trial, for judgment notwithstanding the verdict, for reconsideration, or to vacate the judgment made and denied? ☐ Yes ☒ No (If yes, please specify the type of motion):
 Date notice of intention to move for new trial (if any) filed: ____/____/____
 Date motion filed: ____/____/____ Date motion denied: ____/____/____ Date denial served: ____/____/____
4. Date notice of ☒ appeal or ☐ cross-appeal filed: 08 / 05 / 13

C. BANKRUPTCY OR OTHER STAY

Is there a related bankruptcy case or a court-ordered stay that affects this appeal? ☐ Yes ☒ No (If yes, please attach a copy of the bankruptcy petition [without attachments] and any stay order.)

APPELLATE CASE TITLE:

Wilson & Moore v. Irwin, et alia

APPELLATE COURT CASE NUMBER:

H039985

D. APPELLATE CASE HISTORY (Provide additional information, if necessary, on attachment I.D.)

Is there now, or has there previously been, any appeal, writ, or other proceeding related to this case pending in any California appellate court? ☐ Yes ☒ No (If yes, insert name of appellate court):

Appellate court case no.:

Title of case:

Name of trial court:

Trial court case no.:

E. SERVICE REQUIREMENTS

Is service of documents in this matter, including a notice of appeal, petition, or brief, required on the Attorney General or other nonparty public officer or agency under California Rules of Court, rule 8.29 or a statute? Yes ☐ No ☐ (If yes, please indicate the rule or statute that applies):

- | | |
|--|--|
| <input type="checkbox"/> Rule 8.29 (e.g., constitutional challenge; state or county party) | <input type="checkbox"/> Code Civ. Proc., § 1355 (Escheat) |
| <input type="checkbox"/> Bus. & Prof. Code, § 16750.2 (Antitrust) | <input type="checkbox"/> Gov. Code, § 946.6(d) (Actions against public entities) |
| <input checked="" type="checkbox"/> Bus. & Prof. Code, § 17209 (Unfair Competition Act) | <input type="checkbox"/> Gov. Code, § 4461 (Disabled access to public buildings) |
| <input type="checkbox"/> Bus. & Prof. Code, § 17536.5 (False advertising) | <input type="checkbox"/> Gov. Code, § 12656(a) (False Claims Act) |
| <input type="checkbox"/> Civ. Code, § 51.1 (Unruh, Ralph, or Bane Civil Rights Acts; antiboycott cause of action; sexual harassment in business or professional relations; civil rights action by district attorney) | <input type="checkbox"/> Health & Saf. Code, § 19954.5 (Accessible seating and accommodations) |
| <input type="checkbox"/> Civ. Code, § 55.2 (Disabled access to public conveyances, accommodations, and housing) | <input type="checkbox"/> Health & Saf. Code, § 19959.5 (Disabled access to privately funded public accommodations) |
| | <input type="checkbox"/> Pub. Resources Code, § 21167.7 (CEQA) |
| | <input type="checkbox"/> Other (specify statute): |

NOTE: The rule and statutory provisions listed above require service of a copy of a party's notice of appeal, petition, or brief on the Attorney General or other public officer or agency. Other statutes requiring service on the Attorney General or other public officers or agencies may also apply.

PART II – NATURE OF ACTION


A. Nature of action (check all that apply):

1. ☐ Conservatorship
2. ☐ Contract
3. ☐ Eminent domain
4. ☐ Equitable action a. ☐ Declaratory relief b. ☐ Other (describe):
5. ☐ Family law
6. ☐ Guardianship
7. ☐ Probate
8. ☒ Real property rights a. ☒ Title of real property b. ☒ Other (describe): Quiet Title
9. ☒ Tort
 - a. ☐ Medical malpractice
 - b. ☐ Product liability
 - c. ☐ Other personal injury
 - d. ☐ Personal property
 - e. ☒ Other tort (describe): Fraud & Deceit; Constructive Fraud; Conversion; Unjust Enrichment
10. ☐ Trust proceedings
11. ☐ Writ proceedings in superior court
 - a. ☐ Mandate (Code Civ. Proc., § 1085)
 - b. ☐ Administrative mandate (Code Civ. Proc., § 1094.5)
 - c. ☐ Prohibition (Code Civ. Proc., § 1102)
 - d. ☐ Other (describe):
12. ☐ Other action (describe):

B. ☐ This appeal is entitled to calendar preference/priority on appeal (cite authority):

APPELLATE CASE TITLE: Wilson & Moore v. Irwin, et alia	APPELLATE COURT CASE NUMBER: H039985
PART III – PARTY AND ATTORNEY INFORMATION	
<i>In the spaces below or on a separate page or pages, list all the parties and all their attorneys of record who will participate in the appeal. For each party, provide all of the information requested on the left side of the page. On the right side of the page, if a party is self-represented please check the appropriate box and provide the party's mailing address, telephone number, fax number, and e-mail address. If a party is represented by an attorney, on the right side of the page, check the appropriate box and provide all of the requested information about that party's attorney.</i>	
<input type="checkbox"/> Responses to Part III are attached instead of below	
Name of Party: Jeffrey Merritt Wilson Appellate court designation: Appellant <input checked="" type="checkbox"/> Appellant <input type="checkbox"/> Respondent Trial court designation: <input type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant <input checked="" type="checkbox"/> Other (specify): Cross-Complainant	<input type="checkbox"/> Represented by attorney <input checked="" type="checkbox"/> Self-represented Name of attorney: State Bar no: Firm name: Mailing address: Post Office Box 10414 Salinas 93912, CALIFORNIA Telephone no.: 831-424-1732 Fax no: 831-417-2867 E-Mail address: dawgjeff@hotmail.com
Name of Party: Teresa J. Moore Appellate court designation: Appellant <input checked="" type="checkbox"/> Appellant <input type="checkbox"/> Respondent Trial court designation: <input type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant <input checked="" type="checkbox"/> Other (specify): Cross-Complainant	<input type="checkbox"/> Represented by attorney <input checked="" type="checkbox"/> Self-represented Name of attorney: State Bar no: Firm name: Mailing address: Post Office Box 10414 Salinas 93912, CALIFORNIA Telephone no.: 818-206-1146 Fax no: 818-647-1186 E-Mail address: teresa_j_moore@yahoo.com
Name of Party: Thomas & Mary Irwin Appellate court designation: Appellee <input type="checkbox"/> Appellant <input checked="" type="checkbox"/> Respondent Trial court designation: <input type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant <input checked="" type="checkbox"/> Other (specify): Cross-Defendant	<input checked="" type="checkbox"/> Represented by attorney <input type="checkbox"/> Self-represented Name of attorney: William L. Traficanti, Esq. State Bar no: 15/266 Firm name: Mailing address: 21 W. Laurel Drive, Suite #49 Salinas, CA 93906 Telephone no.: 831-758-8460 Fax no: 831-449-0191 E-Mail address: wltraficanti@hotmail.com
Name of Party: COMMITMENT LENDING Appellate court designation: Appellee <input type="checkbox"/> Appellant <input type="checkbox"/> Respondent Trial court designation: <input type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant <input checked="" type="checkbox"/> Other (specify): Cross-Defendant	<input checked="" type="checkbox"/> Represented by attorney <input type="checkbox"/> Self-represented Name of attorney: Richard Hoefflin, Esq. State Bar no: Firm name: Mailing address: 2659 Towngate Road, Suite 232 Westlake Village, CA 91361 Telephone no.: 805-497-8605 Fax no: 805-497-8625 E-Mail address: jdassinger@hoefflinlaw.com
<input checked="" type="checkbox"/> Additional pages attached Date: August 15, 2013	

This statement is prepared and submitted by:

 //Jeffrey Merritt Wilson & Teresa J. Moore//

(SIGNATURE OF ATTORNEY OR SELF-REPRESENTED PARTY)

ATTACHMENT APP-004

FIRST AMERICAN TITLE COMPANY Appellee Cross-Defendant	c/o Glen H. Wechsler, Esq. (Bar No. 118456) 1646 N. California Blvd., Suite 450 Walnut Creek, CA 94596 Tel: 925-274-0200 Fax: 925-274-0202 glenn@glennwechsler.com
MERS, INC. Appellee Cross-Defendant	c/o Jon D. Ives, Esq. (Bar No. 230582) One Embarcadero Center, Suite 2600 San Francisco, CA 94111 Tel: 415-677-5525 Fax: 415-956-0439 jdi@severson.com
SPECIALIZED LOAN SERVICING, LLC Appellee Cross-Defendant	c/o Jon D. Ives, Esq. (Bar No. 230582) One Embarcadero Center, Suite 2600 San Francisco, CA 94111 Tel: 415-677-5525 Fax: 415-956-0439 jdi@severson.com
U.S. BANK NATIONAL ASSOCIATION Appellee Cross-Defendant	c/o Jon D. Ives, Esq. (Bar No. 230582) One Embarcadero Center, Suite 2600 San Francisco, CA 94111 Tel: 415-677-5525 Fax: 415-956-0439 jdi@severson.com
REGIONAL SERVICE CORPORATION Appellee Cross-Defendant	c/o Nichole K. Neff, Esq. (Bar No. 257964) 4665 MacArthur Court, Suite 280 Newport Beach, CA 92660 Tel: 949-477-5050 Fax: 949-477-9200 nnef@wrightlegal.net

Glenn H. Wechsler, State Bar No. 118456
Lawrence D. Harris, State Bar No. 153350
LAW OFFICES OF GLENN H. WECHSLER
1646 N. California Blvd., Suite 450
Walnut Creek, California 94596
Telephone: (925) 274-0200

Attorneys for Cross-Defendant
FIRST AMERICAN TITLE COMPANY

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF SAN BENITO

THE PEOPLE OF THE STATE OF
CALIFORNIA, acting by and through the
Department of Transportation,

Plaintiff,

vs.

JEFFREY MERRIT WILSON, et al.,

Defendants.

JEFFREY MERRIT WILSON and
TERESA JEAN MOORE,

Cross-Complainants,

vs.

THOMAS C. IRWIN, et al.,

Cross-Defendants.

CASE NO. CU-11-00119

**NOTICE OF ENTRY OF JUDGMENT
(JUDGMENT OF DISMISSAL OF
SECOND AMENDED CROSS-
COMPLAINT)**

PLEASE TAKE NOTICE that on May 28, 2013, the Honorable Harry J. Tobias signed a
Judgment for Cross-Defendant FIRST AMERICAN TITLE COMPANY, as more particularly set forth
in [PROPOSED] JUDGMENT OF DISMISSAL OF SECOND AMENDED CROSS-COMPLAINT

1 attached hereto and incorporated herein by this reference as Exhibit "A."

2
3 DATED: June 6, 2013

LAW OFFICES OF GLENN H. WECHSLER

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5 By: 
6 GLENN H. WECHSLER
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EXHIBIT A

Glenn H. Wechsler, State Bar No. 118456
Lawrence D. Harris, State Bar No. 153350
LAW OFFICES OF GLENN H. WECHSLER
1646 N. California Blvd., Suite 450
Walnut Creek, California 94596
Telephone: (925) 274-0200

Attorney for Cross-Defendant
FIRST AMERICAN TITLE COMPANY

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN BENITO

2013 MAY 29 AM 8:50

NACHELLE BARRAGAN
DEPUTY

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF SAN BENITO

THE PEOPLE OF THE STATE OF
CALIFORNIA, acting by and through the
Department of Transportation,

Plaintiff,

vs.

JEFFREY MERRIT WILSON; TERESA
JEAN MOORE; COMMITMENT
LENDING, a California Corporation;
REGIONAL SERVICE
CORPORATION, a California
Corporation; U.S. BANK NATIONAL
ASSOCIATION, as Trustee relating to
Chevy Chase Funding LLC Mortgage
Backed Certificate Series 2007-1; and
DOE ONE to FIFTY, inclusive,

Defendants.

JEFFREY MERRIT WILSON and
TERESA JEAN MOORE,

Cross-Complainants,

vs.

THOMAS C. IRWIN; MARY W.
IRWIN; COMMITMENT LENDING;
MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.;

CASE NO. CU-11-00119

Assigned to: Hon. Tarry J. Tobias

[PROPOSED] JUDGMENT OF
DISMISSAL OF SECOND AMENDED
CROSS-COMPLAINT

Cross-Complaint filed: November 26, 2012

Date: February 28, 2013

Time: 2:00 p.m.

Dept: 2

Trial: None

FIRST AMERICAN TITLE)
COMPANY; SPECIALIZED LOAN)
SERVICING LLC; LPS DEFAULT)
TITLE & CLOSING; US BANK)
NATIONAL ASSOCIATION;)
REGIONAL SERVICE)
CORPORATION; ALL PERSONS)
UNKNOWN and DOES 1-100,)
Cross-Defendants.)

This matter came on regularly for hearing at the above date and time on (1) the demurrers and motion to strike of Cross-Defendant FIRST AMERICAN TITLE COMPANY ("First American"); (2) the demurrers and motion to strike of Cross-Defendants MERS, INC., sued as MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS"); SPECIALIZED LOAN SERVICING, LLC ("SLS"); and US BANK NATIONAL ASSOCIATION ("US Bank"); and (3) the demurrers of Cross-Defendants THOMAS C. IRWIN and MARY W. IRWIN ("Irwin") (collectively "Cross-Defendants").

The Court sustained the demurrers of the Cross-Defendants without leave to amend, and entered an Order to that effect on April 9, 2013.

Pursuant to the terms of said Order, and good cause appearing therefor,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that Judgment is hereby rendered in favor of Cross-Defendants FIRST AMERICAN TITLE COMPANY, MERS, INC., sued as MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.; SPECIALIZED LOAN SERVICING, LLC; US BANK NATIONAL ASSOCIATION; THOMAS C. IRWIN and MARY W. IRWIN, and against Cross-Complainants JEFFREY MERRITT WILSON and TERESA JEAN MOORE.

///

///

1 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Cross-Defendants, and
2 each of them, shall be and hereby are DISMISSED with prejudice.

3 IT IS SO ORDERED.
4

5 DATED:

6 MAY 28 2013

HARRY J. TOBIAS

7 Hon. Harry J. Tobias
8 JUDGE OF THE SUPERIOR COURT
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PROOF OF SERVICE BY MAIL

I am over the age of 18 years and not a party to the within action. I am employed in the County of Contra Costa, State of California.

My business address is c/o Law Offices of Glenn H. Wechsler, 1646 N. California Blvd., Suite 450, Walnut Creek, California 94596.

On April 19, 2013, I mailed from Walnut Creek, California, the following document(s):

- **[PROPOSED] JUDGMENT OF DISMISSAL OF SECOND AMENDED CROSS-COMPLAINT**

I served the document(s) by enclosing them in an envelope and placing the envelope for collection and mailing following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service in a sealed envelope with postage fully prepaid.

The envelope was addressed and mailed as follows:

Jeffrey Merritt Wilson
P.O. Box 10414
Salinas, CA 93912

DEFENDANT/CROSS-COMPLAINANT
in Propria Persona

Teresa J. Moore
P.O. Box 75217
Honolulu, HI 96836

DEFENDANT/CROSS-COMPLAINANT
in Propria Persona

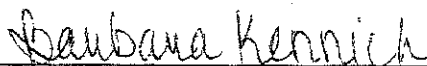
Austin B. Kenney, Esq.
SEVERSON & WERSON
One Embarcadero Center, Ste. 2600
San Francisco, CA 94111

Attorneys for Defendants/Cross-Defendants
MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.,
SPECIALIZED LOAN SERVICING LLC, and
U.S. BANK NATIONAL ASSOCIATION

William L. Traficanti, Esq.
ATTORNEY AT LAW
21 W. Laurel Drive, Ste. 49
Salinas, CA 93906

Attorney for Cross-Defendants
THOMAS C. IRWIN and
MARY W. IRWIN

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed at Walnut Creek, California on April 19, 2013.


BARBARA KENNICK

G:\BARBARA\PROOFS OF SERVICE\FULL PROOFS\FATCO MOORE BY MAIL - CURRENT

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Case: 15-52471 Doc# 12-2 Filed: 10/20/15 Entered: 10/21/15 10:55:44 Page 15 of 15